

FISCAL NOTE

SB 2017 - HB 2101

May 12, 2003

SUMMARY OF BILL: Permits judges exercising criminal court jurisdiction in any judicial district to appoint one or more persons to act as criminal court magistrates. The magistrate would be a licensed attorney and serve at the pleasure of the judges. Compensation for the magistrate would be fixed by the judges with the approval of the county legislative or the appropriate governing body and paid from the public funds of the county. The bill sets out the authority and responsibilities of the magistrate regarding criminal court hearings, the finality of the magistrate's order, and the court confirming such orders. The bill also provides that a defendant must consent to having the magistrate hear the case and if consent is not given the case shall be heard in criminal court. A party may appeal such final order of the criminal court judge as provided by the Tennessee Rules of Appellate Procedures.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$63,000 Recurring
\$6,000 One-time**

Increase Local Govt. Expenditures - Exceeds \$200,000/Permissive

Estimate provides the costs of establishing one criminal court magistrate based upon Davidson County and includes:

Local Government Expenditures

- Salaries, benefits, operational cost for magistrate, court reporter, and assistant public defender.

State Expenditures

- Salary, benefits, operational costs and start-up costs for one assistant district attorney general.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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